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10/574,432	01/17/2008	Takashi Shigetomi	14449.0009USWO	4120

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EXAMINER
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DARROW, JUSTIN T

ART UNIT	PAPER NUMBER
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2438

MAIL DATE	DELIVERY MODE
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10/11/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/574,432	SHIGETOMI, TAKASHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	JUSTIN T. DARROW	2438	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 1-30 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 1-30 is/are rejected.
- 8) ☒ Claim(s) 1-6,8,17,18,20 and 25-30 is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 03 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/03/2006</u> .  | 6) <input type="checkbox"/> Other: ____.                          |

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### **DETAILED ACTION**

1. Claims 1-30 have been presented for examination. Claims 3, 7-13, 16, 17, 19-26 and 30 have been amended in a preliminary amendment, filed 04/03/2006. Claims 1-30 have been examined.

### ***Priority***

2. It is acknowledged that the instant application entered the national stage from International Application No. PCT/JP2004/015199, filed 10/07/2004, under 35 U.S.C. 371.

3. Receipt is acknowledged of Application No. 2003-352110, filed in Japan on 10/10/2003, submitted under 35 U.S.C. 119(a)-(d), which has been placed of record in the file.

### ***Information Disclosure Statement***

4. The information disclosure statement (IDS) submitted on 04/03/2006 was filed before the mailing date of the first Office action on the merits. The submission is in compliance with the provisions of 37 CFR 1.97(b)(3). Accordingly, the information disclosure statement is being considered by the Office.

### ***Claim Objections***

5. Claim 1 is objected to because of the following informalities: insert, before “data” in line 5, --information--. Appropriate correction is required.

6. Claim 2 is objected to because of the following informalities: insert, before “data” in line 4, --information--. Appropriate correction is required.

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7. Claim 3 is objected to because of the following informalities: insert, before “data” in line 7, --information--. Appropriate correction is required.

8. Claim 4 is objected to because of the following informalities: insert, before “data” in line 4, --information--. Appropriate correction is required.

9. Claim 5 is objected to because of the following informalities: insert, before “data” in line 4, --information--. Appropriate correction is required.

10. Claim 6 is objected to because of the following informalities: insert, before “data” in line 7, --information--. Appropriate correction is required.

11. Claim 8 is objected to because of the following informalities: delete “despite NG in the certification result.” and replace with --if any person determined not to be one of the previously registered persons.--. Appropriate correction is required.

12. Claim 17 is objected to because of the following informalities: delete “or the storage medium drive units” in line 2. Appropriate correction is required.

13. Claim 18 is objected to because of the following informalities: delete “16” in line 1 and replace with --17--. Appropriate correction is required.

14. Claim 20 is objected to because of the following informalities: insert, after “storage” in line 1, --case--. Appropriate correction is required.

15. Claim 25 is objected to because of the following informalities: delete “system, a storage medium or a storage medium storage case” in lines 1-2 and replace with --system--. Appropriate correction is required.

16. Claim 25 is objected to because of the following informalities: delete “1” in line 2 and replace with --24--. Appropriate correction is required.

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17. Claim 26 is objected to because of the following informalities: delete “system, a storage medium or a storage medium storage case” in lines 1-2 and replace with --system--. Appropriate correction is required.

18. Claim 27 is objected to because of the following informalities: delete “system, a storage medium or a storage medium storage case” in lines 1-2 and replace with --system--. Appropriate correction is required.

19. Claim 28 is objected to because of the following informalities: delete “system, a storage medium or a storage medium storage case” in lines 1-2 and replace with --system--. Appropriate correction is required.

20. Claim 28 is objected to because of the following informalities: delete “ties” in line 3 and replace with --tries--. Appropriate correction is required.

21. Claim 28 is objected to because of the following informalities: delete “(NG in certification).” in line 4 and replace with --the cartridge--. Appropriate correction is required.

22. Claim 29 is objected to because of the following informalities: delete “system, a storage medium or a storage medium storage case” in lines 1-2 and replace with --system--. Appropriate correction is required.

23. Claim 30 is objected to because of the following informalities: delete “system, a storage medium or a storage medium storage case” in lines 1-2 and replace with --system--. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

24. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

25. Claims 1-7 and 11-16 are rejected under 35 U.S.C. 102(a) as being anticipated by Hirano et al., Japanese Patent Application Publication No. 2003-187524 A (Hirano).

1. (Original) An information protection system comprising a storage medium to be loaded on an external device, the storage medium including a storage portion for storing information data and at least predetermined application program data for controlling the external device, an electronic circuit portion for controlling the external device based on the data and the application program that are read out of the storage portion, and also permission information for controlling whether to permit or refuse access to the storage portion so that, at the time of accessing by the external device to the storage medium, such access is enabled only if permitted based on the permission information (see ¶¶ [0012]-[0013]).

2. (Original) An information protection system comprising a plurality of external devices each loaded with a storage medium including a storage portion in which information data and at least a predetermined application program for controlling an external device are stored, an electronic circuit portion for reading out the data and controlling the external device based on the read-out application program, and permission

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information stored in the storage portion for controlling whether permit or refuse access to the storage portion in such a manner that some of the permission information stored in the storage media are different from the others, and at the time of accessing to the storage medium by the external device, such access is enabled only if permitted based on the permission information. (see ¶¶ [0012]-[0013]).

3. (Currently Amended) In a network system comprising an independent network having a PC connected to a dedicated line and a normal network connected to internet and having a plurality of PCs connected to a LAN, an information protection system ~~characterized in that~~ wherein each of the PCs connected to the normal network is loaded with a storage medium having a storage portion for storing information data and predetermined application program data for controlling at least the PC, an electronic circuit portion for reading out the data from the storage portion and controlling the PC based on the read-out application program, and permission information stored in the storage portion for controlling whether permit or refuse access to the storage portion so that at the time of accessing the storage medium by the PC, such access is permitted only if permitted based on the permission information. (see ¶¶ [0012]-[0013]; FIG. 1).

4. (Original) An information protection system comprising a storage case for storage of a plurality of storage media each having a storage portion for storing information data and predetermined application program data for controlling at least a

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PC, an electronic circuit portion for reading out the data from the storage portion and controlling the external device based on the read-out application program, and permission information stored in the storage portion for controlling whether permit or refuse access to the storage portion in such a manner that a particular storage medium is enabled to be taken out of the storage case only if he/she is certified as one of previously registered particular persons,

wherein the taken-out storage medium is loaded in the external device and, at the time of access to the storage medium by the external device, such access is enabled only if permitted based on the permission information. (see ¶¶ [0012]-[0013]).

5. (Original) An information protection system comprising a storage case for storing a plurality of storage media each having a storage portion for storing information data and predetermined application program data for controlling at least an external device, an electronic circuit portion for reading out the data from the storage portion and controlling the external device based on the read-out application program, and permission information stored in the storage portion for controlling whether permit or refuse access to the storage portion in such a manner that a predetermined storage media are enabled to be taken out of the storage case only if he/she is certified as one of previously registered particular persons,

wherein the taken-out storage media are loaded in the plurality of external devices, the permission information stored in some of the storage media are different from others, and at the time of accessing to the storage media by the external devices,



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such access is enabled only if permitted based on the permission information. (see ¶¶ [0012]-[0013]).

6. (Original) In a network system comprising an independent network having a PC connected to a dedicated line and a normal network having a plurality of PCs connected to a LAN and also connected to internet, an information protection system comprising a storage case for storing a storage medium to be connected to each PC in the normal network and having a storage portion for storing information data and predetermined application program data for controlling at least the PC, an electronic circuit portion for reading out the data from the storage portion and controlling the PC based on the read-out application program, and permission information stored in the storage portion for controlling whether permit or refuse access to the storage portion in such a manner that the predetermined storage medium is enabled to be taken out of the storage media storage case only if he/she is certified as one of previously registered particular persons, wherein the taken-out storage medium is loaded in an external device and at the time of accessing the storage medium by the PCs, such access is enabled only if permitted based on the permission information. (see ¶¶ [0012]-[0013]; FIG. 1).

7. (Currently Amended) An information protection system of either ~~one of claims 4--to-6~~ claim 1, wherein the external device is a PC connected to internet (see ¶¶ [0012]-[0013]; FIG. 1).

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11. (Currently Amended) An information protection system of claim 2 or--5,

wherein some of the permission information stored in the storage media as loaded in a plurality of external devices are different from others (see ¶¶ [0017]-[0018]).

12. (Currently Amended) An information protection system of ~~either one of~~

~~claims 1 to 11~~ claim 1, the information data stored in the storage medium are encrypted and the permission information is information for decrypting the encryption. (see ¶¶ [0018]-[0019])

13. (Currently Amended) An information protection system of ~~either one of~~

~~claims 1 to 12~~ claim 1, wherein the storage medium is an optical disc. (see ¶¶ [0007]-[0008])

14. (Original) A storage medium to be detachably loaded in an external device

and having a storage portion for storing information data and predetermined application program data for controlling at least the external device, an electronic circuit portion for reading out the data from the storage portion and controlling the external device based on the read-out application program, and permission information for controlling whether permit or refuse access to the storage portion (see ¶¶ [0007]-[0008]).

15. (Original) A storage medium of claim 14, wherein the information data stored

in the storage medium is encrypted and the permission information is information for decrypting the encryption. (see ¶¶ [0017]-[0018])

16. (Currently Amended) A storage medium drive unit capable of accessing to the

storage portion of the storage medium of claim 14 or-t-g and further comprising a drive having an interface portion for communicating with the electronic circuit portion as an integral part with the storage medium. (see ¶¶ [0007]-[0008])

***Claim Rejections - 35 USC § 103***

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. Claims 8-10 and 17-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirano et al., Japanese Patent Application Publication No. 2003-187524 A (Hirano) as applied to claim anticipated base claim above, and further in view of Arai, Japanese Patent Application Publication No. 10-255499 A (Arai).

8. (Currently Amended) An information protection system of either ~~one of claims~~ 440-6 claim 4, further comprising means for generating warning when the storage medium is taken out despite NG in the certification result [0010]; drawing 1, 3.

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the warning of Arai to notify third parties of improper use.

9. (Currently Amended) An information protection system of either ~~one of claims~~ 440-6 claim 4, further comprising means for generating warning when the storage medium is taken out and brought outside a predetermined area despite NG in the certification result. [0010]; drawing 1, alarm 3.

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Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the warning of Arai to notify third parties of improper use.

10. (Currently Amended) An information protection system of claim 8 or-X), wherein the warning is sent to a control center by way of a communication line. [0010]; drawing 1, alarm 3.

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the warning of Arai to notify third parties of improper use.

17. (Currently Amended) A storage media storage case for storing a plurality of the storage media or the storage medium drive units of claim 14 or--4-5 and for enabling a person to take out a predetermined storage medium or the storage medium drive unit only if he/she is certified as one of previously registered particular persons [0010].

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the certification of Arai to confirm authorized use.

18. (Original) A storage media storage case of claim 16, wherein the certification is either ID or a biometric identification [0010].

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Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the certification of Arai to confirm authorized use.

19. (Currently Amended) A storage media storage case of claim 17 or--l-8, further comprising means for generating warning when the storage medium is taken out despite NG in the certification result. [0010]; drawing 1, alarm 3.

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the warning of Arai to notify third parties of improper use.

20. (Currently Amended) A storage media storage of either ~~one of claims 17 to 19~~ claim 17, further comprising means for generating warning when the storage medium is taken out and brought outside a predetermined area despite NG in the certification result. [0010]; drawing 1, alarm 3.

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the warning of Arai to notify third parties of improper use.

21. (Currently Amended) A storage media storage case of claim 19 or-g0, wherein the warning is either a warning sound or a warning display. [0010]; drawing 1, alarm 3.

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Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the warning of Arai to notify third parties of improper use.

22. (Currently Amended) A storage media storage case of ~~either one of claims 19 to-2-t-~~ claim 19, wherein the warning is transmitted to a control center by way of a communication line. [0010]; drawing 1, alarm 3.

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the warning of Arai to notify third parties of improper use.

23. (Currently Amended) A storage media storage case of ~~either one of claims 17 to-gg~~ claim 17, wherein the storage media are optical discs. Hirano (see ¶¶ [0007]-[0008])

28. Claims 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirano et al., Japanese Patent Application Publication No. 2003-187524 A (Hirano) as applied to claim anticipated base claim above, and further in view of Kuroiwa, Japanese Patent Application Publication No. 08-124345 A (Kuroiwa).

24. (Currently Amended) An information protection system, a storage medium or a storage media storage case of ~~either one of claim 1 to-23-~~ claim 1, wherein the storage medium is accommodated in a cartridge (Abstract, drawing 1, data carrier 2).

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Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the cartridge of Kuroiwa to provide supplemental security.

25. (Currently Amended) An information protection system, a storage medium or a storage media storage case of either one of claims 1 to 23 claim 1, wherein the cartridge is capable of accommodating any storage medium. (Abstract, drawing 1, data carrier 2).

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the cartridge of Kuroiwa to provide supplemental security.

26. (Currently Amended) An information protection system, a storage medium or a storage media storage case of claim 24 or--2--5, wherein the cartridge includes a wireless communication portion for making wireless communication, an identification portion, a display portion, an audio output portion and a battery portion for driving these functional portions. ([0005]).

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the cartridge of Kuroiwa to provide supplemental security.

27. (Original) An information protection system, a storage medium or a storage media storage case of claim 25, wherein the location of the cartridge is controlled by

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making wireless communication of the wireless communication portion, an alarm is generated when the cartridge is brought outside a predetermined area, and the alarm is transmitted to a control center by way of a wireless communication network for notifying the abnormality. ([0005]-[0007]).

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the cartridge of Kuroiwa to provide supplemental security.

28. (Original) An information protection system, a storage medium or a storage media storage case of claim 27, wherein the identification portion installed in the cartridge generates an alarm or notifies to the control center when a person who tries to take out the cartridge is not a registered person permitted to use (NG in certification). [0010]-[0012].

Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the cartridge of Kuroiwa to provide supplemental security.

29. (Original) An information protection system, a storage medium or a storage media storage case of claim 27, wherein justification of the storage medium is confirmed by communication between the wireless communication portion in the cartridge and the wireless communication portion as provided at the storage medium side. (Abstract, drawing 1, data carrier 2).



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Therefore, it would have been obvious to one of ordinary skill in the computer art at the time of the invention was made to combine the system of Hirano with the cartridge of Kuroiwa to provide supplemental security.

30. (Currently Amended) An information protection system, a storage medium or a storage media storage case of either ~~one of claim 24 to 29~~ claim 24, wherein the storage medium is an optical disc. Hirano (see ¶¶ [0007]-[0008])

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***Inquiry Contacts***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin T. Darrow whose telephone number is (571) 272-5325 and whose electronic mail address is [justin.darrow@uspto.gov](mailto:justin.darrow@uspto.gov). The examiner can normally be reached Monday-Friday from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi T. Arani, can be reached at (571) 272-3787.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 3, 2011

/JUSTIN T DARROW/

Examiner, Art Unit 2438